

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MAJOR GEORGE TILLERY,	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
KENNETH EASON, et al.,	:	No. 20-2675
Respondents.	:	

**FOURTH MOTION FOR EXTENSION OF TIME TO FILE RESPONSE  
TO AMENDED PETITION FOR WRIT OF HABEAS CORPUS**

1. On June 5, 2020, the Third Circuit granted petitioner Major Tillery leave to file the present successive petition for a writ of habeas corpus. *In re: Major G. Tillery*, C.A. No. 20-1941.

2. On February 5, 2021, the Respondents filed a response to Tillery's pro se petition (ECF No. 13).<sup>1</sup>

3. On June 6, 2021, Tillery filed a reply to the response (ECF No. 16).

4. On December 15, 2021, Respondents filed a motion to stay proceedings for voluntary discovery (ECF No. 23).

5. On January 10, 2022, proceedings were stayed (ECF No. 26).

6. On June 2, 2022, Tillery, through counsel, filed an amended petition for writ of habeas corpus (ECF No. 28).

7. On July 13, 2022, the stay was lifted and Respondents were ordered to respond on or before August 12, 2022 (ECF No. 32).

8. Respondents then filed three motions for extension of time, most recently on December 12, 2022, because Respondents obtained additional files

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<sup>1</sup> The previously assigned assistant district attorney who filed this response is no longer with the District Attorney's Office. This matter was subsequently reassigned to the undersigned.

potentially relevant to claims raised in Tillery's petition (ECF Nos. 35, 38, 40). Counsel for Tillery objected to Respondents' third motion (ECF No. 41), and Respondents responded, noting that they required additional time to review the files to determine whether there were any undisclosed materials favorable to Tillery, and that if Tillery's counsel wished to review these files, they could pursuant to Respondents' open-file discovery policy (ECF No. 42). The Court granted Respondents' motion (ECF No. 43).

9. On January 4 and 6, 2023, representatives of Tillery's counsel reviewed the files at the District Attorney's Office and requested copies of certain documents from these files be passed to counsel. On January 19, 2023, Respondents passed these materials to Tillery's counsel. On February 8 and 9, 2023, counsel for Tillery filed letters with the Court arguing that some of these materials support claims raised in Tillery's habeas petition (ECF Nos. 44, 45).

10. Respondents respectfully request a fourth extension of 45 days to file their response. Respondents request this time to review the materials counsel for Tillery argues supports his claims and to respond appropriately.

WHEREFORE, Respondents respectfully request that they be granted 45 days, until March 27, 2023, to file a response to the amended petition.

Respectfully submitted,

/s/ Shoshana D. Silverstein  
SHOSHANA D. SILVERSTEIN  
Assistant District Attorney  
Federal Litigation Unit

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**ORDER**

**AND NOW**, this                      day of                      , 2023, Respondents' time to file a response to the amended petition for writ of habeas corpus is extended to March 27, 2023.

BY THE COURT:

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LYNNE A. SITARSKI  
UNITED STATES MAGISTRATE JUDGE

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**CERTIFICATE OF SERVICE**

I certify that on February 10, 2023, a copy of the foregoing motion was served on all counsel of record via the Court's electronic filing system.

Respectfully submitted,

/s/ Shoshana D. Silverstein  
SHOSHANA D. SILVERSTEIN  
Assistant District Attorney  
Federal Litigation Unit